

# Help take a bite out of crime



A daughter comes to a bank to withdraw \$2,500 from her mother's account to pay for the care the daughter has been providing. She explains that her mother wants her to have the money. While verifying the daughter's statement, the bank learns that Mom knows nothing of this attempted transaction.

A home care aide wants to cash a check from an elderly credit union member, made out to the aide for \$100. The signature on the check does not match the customer's signature on the signature card. The customer first learns that one of her checks is missing when contacted by the bank.

Financial exploitation occurs when there is an illegal use of a vulnerable adult's resources for another person's gain or profit. Financial exploitation is a crime that includes stealing, forgery, fraudulent use of a credit/debit/ATM card, fraudulent procurement of a credit or debit card, identity theft, and misappropriation of property from an in-home services client. The violation can be a misdemeanor or a felony—it depends upon how much is stolen and the severity of the crime. A vulnerable adult is someone at least 60 years old or disabled and between 18 and 59.

Elderly and disabled adults should be fully informed of and authorize any financial transactions made in their names. They have the right to use their money as they see fit and their consent must be freely given. Tricking, forcing, or coercing them into giving consent does not constitute valid consent.

Instead, it may constitute an additional financial crime.

To give a valid consent any customer must have the mental ability to understand what is happening. For proper consent, customers must be able to understand the transaction, what it means and what will happen as a result. A confused senior or disabled adult who does not have the ability to give consent **has not given consent.**

Missouri's Department of Health and Senior Services (DHSS) investigates allegations of financial exploitation. DHSS routinely refers cases involving financial crime to law enforcement and local prosecuting attorneys. People who commit financial crimes are criminals. DHSS also vigorously pursues restitution, when possible.

Using its extensive network of trained field staff and the newly formed Office of Special Investigations, DHSS is well equipped to investigate financial crimes and refer lawbreakers to the appropriate authorities. In addition, DHSS staff helps victims access services and supports needed to prevent further exploitation and restore them to the highest possible level of independence.

You can take a bite out of financial crime with MOSAFE—Missourians Stopping Financial Exploitation. If you suspect one of your elderly or disabled customers is being financially exploited, call the Department of Health and Senior Services' toll-free hotline at 1-800-392-0210. We can help.